

## REMARKS

This Response is submitted in reply to the non-final Office Action dated September 21, 2006. Claims 12-13, 24-25, 29-34 and 38-39 are all the claims presently pending in the application. With this Response, claims 38 and 39 have been amended. No new matter has been introduced; thus, favorable reconsideration is respectfully requested.

### **I. Examiner Interview**

The Applicant thanks Examiner Tran for the interview conducted with the Applicant's representative on October 25, 2006. During the interview, the Applicant's representative pointed out that Hug fails to disclose a control means or locating step for an application program that locates, based on the received time information corresponding to at least one of a day and time, application data. The Application data is located from a stored plurality of different sets of application data at a time closest to received day and time information. At the conclusion of the interview, it was suggested that the independent claims be amended to more clearly point out this feature and further distinguish over the Hug reference.

### **II. Response To §102 Rejections**

Claims 12-13, 24-25, 29-30, 32-33 and 38-39 stand rejected under 35 U.S.C. §102(e) as being anticipated by Hug et al. (U.S. Patent No. 5,806,078, hereafter "Hug"). The Applicant traverses the rejections noted above for the following reasons.

The Applicant has amended independent claims 38 and 39 consistent with the recommendations made during the Examiner Interview conducted on October 25, 2006. As amended, the claims are directed to an information processing apparatus and method that include, in pertinent part, a control means and locating step for an application program. This means and step of the present invention locate, *based on the received time information corresponding to at least one of a day and time*, application data from a stored plurality of different sets of application data at a time closest to received day and time information. As noted during the Interview, Hug fails to disclose this feature.

Hug discloses a version management system for storing and retrieving changes to spreadsheets or word processor documents. In this system, an original version of each document and all alternative versions are stored in a delta format (i.e., storing only the difference from a prior version) in a common difference data file (see, Hug, Abstract). In Hug, each document is

stored as a set of variable-sized delta-formatted data records representing characters, words, lines paragraphs or any other elementary portions of the document.

Additionally, each version of a document, including a delta version, can be checked-out of a library directory by a user. Fig. 9 of Hug illustrates in more detail the check-out method of a document. In Fig. 9, a Version Open Dialogue box allows a user to perform a check-out procedure of a document from the library directory 38. The Version Open Dialogue box requires a user to provide the project, and document and/or the version number/name for retrieving a document (see, Hug, col. 9, lines 35-45). Although it appears that time and day information are noted when a document is saved, nothing in the reference discloses locating a stored document using such time information received in, for example, a retrieval request (see also, Hug, Fig. 10). To this end, Hug fails to disclose all the features of the control means and locating step of the present invention, as recited in claims 38 and 39.


Independent claims 38 and 39 are distinguished over Hug for at least the reasons noted above. Likewise, dependent claims 12-13, 24-25, 29-34 are distinguished over Hug based on their respective dependencies.

### **III. Conclusions**

In light of the above, the Applicant submits that all the claims are patentable over the prior art of record. Accordingly, the Applicant respectfully requests that a timely Notice of Allowance be issued in this case. If any additional fees are due in connection with this application as a whole, the Director is authorized to deduct such fees from deposit account no. 02-1818.

Respectfully submitted,

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